

U.S. Department of the Interior
Bureau of Land Management

Finding of No Significant Impact
For
Muddy Creek Spike Project EA

DOI-BLM-WY-100-EA11-192

U.S. Department of the Interior
Bureau of Land Management
Pinedale Field Office
1625 West Pine Street
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Finding of No Significant Impact Determination:

The BLM has reviewed environmental assessment (EA) DOI-BLM-WY-100 EA11-192. Based on the analysis of potential environmental impacts contained in the attached EA, and considering the significance criteria in 40 CFR 1508.27, the BLM has determined that the proposed action would not have a significant effect on the human environment. Therefore, an environmental impact statement is not required. This finding and conclusion is based on my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 Code of Federal Regulations 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

The project is a site-specific action directly involving approximately 300 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance. The impacts of the project would be beneficial to the mountain shrub ecosystem within the project area, and no long term negative impacts resulting from the proposed action would occur.

Intensity:

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1.) Impacts that may be both beneficial and adverse.

The environmental assessment has considered both beneficial and adverse impacts of the project to the Muddy Creek project area. Overall, the project would result in increased mountain shrub and understory diversity and overall rangeland health by thinning decadent sagebrush.

2.) The degree to which the proposed action affects public health or safety.

The proposed action would have no adverse or beneficial effects to public health or safety.

3.) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no unique characteristics in the geographic area of the proposed action.

4.) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The methods of vegetation treatment activities are scientifically accepted, and are commonly employed to meet resource or management objectives. The effects from implementing the project are well known and documented and not considered to be highly controversial.

5.) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no known effects of the proposed action identified in the EA that are considered uncertain or involve unique or unknown risks. The vegetation treatment method proposed is accepted standard management practices.

6.) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action would not establish a precedent for future actions.

7.) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

No significant cumulative impacts have been identified in the EA.

8.) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.

There are no known NRHP sites within the project area.

9.) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.

The proposed project would not adversely affect any species or its habitat listed in the ESA of 1973.

10.) Whether the action threatens a violation of federal, state, or local laws or requirements imposed for the protection of the environment.

The proposed action would not threaten a violation of federal, state, or local laws or requirements imposed for the protection of the environment.



Pinedale Field Office Manager: Shane DeForest

9-12-11

Date:

U.S. Department of the Interior
Bureau of Land Management
Decision Record
For
Muddy Creek Spike Project EA
DOI-BLM-WY-100-EA11-138

Decision:

Based on the environmental analysis and Finding of No Significant Impact (FONSI), it is my decision to implement the proposed action for the Muddy Creek Spike Project EA DOI-BLM-WY-100-EA11-192.

Rationale for Decision:

The purpose of the proposed action is to reduce the cover of big sagebrush and to increase herbaceous vegetative cover and production, and improve the diversity of species composition and the age-class structure of sagebrush and other mountain shrubs within the Muddy Creek drainage. The need for the proposed action is to thin dense, mature to decadent stands of sagebrush to improve rangeland health. There are only minimal adverse impacts involved with allowing this project to proceed, which will be outweighed by the expected benefits derived from the project. The Proposed Action is in conformance with the Pinedale Resource Management Plan, Record of Decision November 26, 2008. Soils, vegetation, wildlife, recreation, cultural, and visual quality are described in the affected environment section and effects to these resources are analyzed in the environmental effects section. The specific site has been cleared of archaeology concerns and wildlife mitigations are in place. No additional stipulations are needed. The proposed action does not cause any undue or unnecessary environmental degradation, and should provide for additional improvement of vegetation. The proposed action

is in conformance with and will help meet rangeland health standards in the Upper Green River Basin watershed.

A public scoping letter was sent out May 3, 2011, to interested and effected parties in the Muddy Creek area. Two response letters came back from the 16 scoping letters that were sent out. The comments that were received were used to help refine the proposed action.

Appeal Procedures:

All of the documents supporting this decision are available for review by the public. Appeal procedures for this decision are outlined in Title 43 CFR, Part 4. In accordance with Title 43 CFR 4.410, any party to a case who is adversely affected by the decision of an officer of the Bureau of Land Management shall have a right to appeal to the Interior Board of Land Appeals (Board). In accordance with Title 43 CFR 4.411, a person who wishes to appeal the decision must file a notice that he wishes to appeal in the office of the authorized officer who made the decision. In accordance with Title 43 CFR 4.413, within 15 days of filing the notice of appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and on the Office of the Solicitor in the manner prescribed in Title 43 CFR 4.401(c). The office to file notice of appeal and a copy of the notice to appeal:

Bureau of Land Management
Pinedale Field Office
PO Box 768
1625 West Pine Street
Pinedale, WY 82941

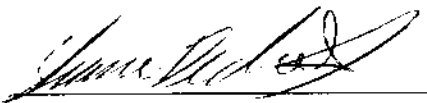
Office of the Regional Solicitor
Rocky Mountain Region
755 Parfet Street Suite 151
Lakewood, Colorado, 80215

A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. In accordance with Title 43 CFR 4.411 (b), the notice of appeal may include a statement of reasons for the appeal, a statement of standing if required by Title 43 CFR 4.412 (b), and any arguments the appellant wishes to make. In accordance with Title 43 CFR 4.412 (a), if the notice of appeal

did not include a statement of reasons for the appeal or the appellant wishes to file additional statements of reasons, the appellant shall file such statements with the Board within 30 days, after the appeal was filed. The address to file such statements to the Board is:

Board of Land Appeals
Office of Hearings and Appeals
801 North Quincy Street
Arlington, VA 22203

If statement of reasons for appealing were filed with the "Notice of Appeal", no additional statement is necessary. Pursuant to Title 43 CFR 4.21 (b), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the notice of appeal. At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (Title 43 CFR 4.422(c)(2)).



Shane DeForest
Field Manager
Pinedale Field Office

9-12-11

Date